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NEW RULES FOR LAWYERS AND CLERKS

CIRCUIT JUDGES WILL BEGIN THE NEW YEAR WITH SOME REGULATIONS DESIGNED TO PROTECT DOCUMENTS ON FILE AND WITH NEW RULES REGARDING PROCEDURE—LINDSAY TO BE FIRST PRESIDING JUDGE.

With the beginning of the next term of Circuit Court, which under the new law begins for Honolulu on the second Monday in January (13th), there will be a number of important changes inaugurated for the year. Among these will be the new distribution of work among the three judges of the court.

The new presiding judge will be Judge Lindsay, who succeeds Judge De Bolt. His court will handle probate, divorce, and jury waived cases, while Judge De Bolt will handle jury civil cases, during the present term being handled by Judge Robinson. Judge Robinson will get the jury criminal work of the term, in place of Judge Lindsay.

Judge De Bolt has begun the work of compiling rules for the Circuit Court which rules shall govern the methods of procedure where they are not particularly specified by statute, and expects to have them printed in pamphlet form within the next few weeks. While there have been rules in force heretofore, they have been in many instances confusing and not in shape to make them readily available. Some of them are of old standing, and have been added to from time to time in a haphazard way. Judge De Bolt expects to frame new rules which he believes advisable, as well as collecting and revising such of the present rules as may be valuable at present. The judge expects to get a good start on his word during the laxity in court work, incident to the holiday season.

One order which will be made is aimed to protect the clerks who have the responsibility of all documents in the various matters coming before the courts, will provide that attorneys are to prepare their own copies of all such papers when same are filed, for their use during trial of cases, and not depend for reference upon the originals, which are frequently mixed up with other papers and misplaced or lost under the present system.

An order relative to the next term of considerable interest to attorneys and others has been signed by the three judges of the court, and is as follows:

"1. All cases, civil and criminal, appearing upon the calendar for the 1938 term, of this Court are and will be presumed and held ready for trial as reached. It is, therefore, hereby ordered that each and all of said cases shall be taken up and disposed of in the order in which they stand on the calendar, irrespective of the manner in which preceding cases may be disposed of, unless postponed by the court at the request of the plaintiff or the defendant. (Sec. 1766, R. L.)

"2. When a case is reached on the calendar and neither party appears, the case will go to the foot of the calendar, or be continued for the term or dismissed, as in the direction of the Court may appear proper.

"3. When a case is reached and but one party appears the trial shall nevertheless proceed, and such order shall be made therein as may be proper.

"4. Application for a continuance, or for other disposition of a case, must be in writing and copies of the moving papers served on the other party at least twenty-four hours before the hearing thereon, which hearing shall be noted for the hour of 2 o'clock a. m., and also prior to the time when the case, in its order on the calendar, would otherwise be reached for trial.

"5. All jury civil cases appearing upon the calendar for said term are hereby assigned to the First Judge of this Court.

"6. All jury-waived cases, civil and criminal, appearing upon the calendar for the said term are hereby assigned to the Second Judge of this Court.

"7. All jury criminal cases at said term shall be heard, tried and disposed of by the Third Judge of this Court.

"8. The calendar printed for the January, 1938 Term of this Court, so far as the cases appearing thereon and undispensed of, together with all cases subsequently moved thereon is hereby adopted and made the official calendar for the 1938 Term of this Court. And all cases hereinafter entitled to a place on said calendar, shall be entered thereon in proper order by the clerks.

"The clerk of each Judge shall post a list of all cases at the entrance of the Court room of the Judge before whom said cases are for trial.

"9. During said term when it is desired to have a cause or action placed upon the calendar application shall be made to the Judge presiding at the trial of like cases.

"J. T. DE BOLT,

"First Judge;

"ALEX. LINDSAY, JR.,

"Second Judge;

"W. J. ROBINSON,

"Third Judge."

DAVIES' HELP TO KAPIOLANI PARK

A CHECK FOR \$50 TO HELP IN IMPROVEMENT OF THE PARK GROUNDS.

George Davies has handed a check to the Superintendent of Public Works for \$50 for use in improvements in Kapiolani Park. The inadequacy of the money available for keeping up the park and making improvements badly needed in the beautiful recreation and playground of the public is being met in part by a number of generous contributions from private citizens. A more meritorious object could scarcely be found for liberality, since the parks of the city are real necessities to all classes of people, and are coming to be appreciated and utilized as such.

BENEFIT TO STOREKEEPERS.

K. Yamamoto, the biggest importer of Japan rice, is the only local merchant who imports his rice direct from the fields, thereby saving the middleman's profit of which his patrons get the benefit of.

After the theatre call at Alexander Young Cafe for some oysters or other refreshments. Open every evening.

SEEK TO REGULATE RAILROADS



HERBERT S. HADLEY, ATTY. GEN. OF MISSOURI

In Chicago was recently held, under the auspices of the National Civic Federation, a conference on trusts and combinations by the National Association of State Railway Commissioners. It was a notable gathering of men of brains and force.

Herbert S. Hadley, Attorney General of Missouri, who has followed the operations of the Standard Oil Company with many prosecutions as Chairman of the Association of State Attorneys-General, appointed a list of delegates to the conference.

FALLS OF CLYDE HERE WITH OIL

BIG SAILING TANK CAME IN YESTERDAY MORNING WITH 18,500 BARRELS OF OIL.

Twenty days from Gaviota, the four-masted tanker Falls of Clyde, Captain Larsen, yesterday morning at 6 o'clock was off Diamond Head, docking at the railway wharf at 11 o'clock. She brought 18,500 barrels of oil and 152 drums of gasoline and distillate. The work of discharge was not begun until this morning, the crew being allowed a holiday for Christmas. A watchman has been stationed at the gangway to keep the crew aboard that the vessel may leave here with a clean bill of health; she lies several feet from the wharf.

It is not likely that the Clyde will get away this week as certain repairs to her anchor apparatus have to be made here.

LUKA SOLD.

The famous schooner Luka, long in the guano business, was today in front of the Judiciary building sold at auction for \$1,000 to order of George A. Davis, trustee. A. M. Brown had a lien on her for \$1,590 and her sailors had attached her for \$340. It is not known to what use she will now be put.

KOKI BOUND OVER.

Moses Koki, the Kamuela postmaster charged with embezzlement of money order accounts of his office, and who is suspected of having robbed the registered mail pouch which was cut and rifled of \$2500 in gold about two weeks ago, was bound over to the April term of United States District Court on Tuesday afternoon in the sum of \$5000, Eben Low going surety for the amount.

ARRIVING.

Wednesday, December 25.
A. O. Sp. Falls of Clyde, Larsen, from Gaviota, 11 a. m.

A NOTABLE FACT.

The absence of all narcotic makes Chamberlain's Cough Remedy the safest and best medicine for all coughs, colds, croup and whooping cough that can be procured. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

JANUARY UNDERWEAR SALE.

It will be the biggest event after Christmas at the N. S. Sachs Dry Goods Co. Watch for announcement later.

Fine Job Printing, Star Office.

ONLY ONE CASE IS "SUSPICIOUS"

CHOLERA "EPIDEMIC" PROBABLY OVER WITH BUT ONE CASE OF THE DISEASE.

A supposed case of plague was discovered today on Lunalilo street just below Hackfeld. The place was at once quarantined and all the inmates of the house removed to the quarantine station at Kalahehi.

The victim is a young German employed as engineer by Von Hamm-Young Company. He is married and his family was occupying the house in which the disease developed. There is no knowledge of how he could have contracted the contagion.

Dr. Wayson, of the Board of Health, who was called to the case this morning, stated at noon that all the characteristics of bubonic plague are present, although no bacteriological test has as yet been made. A rigorous disinfection of the premises is being made, and a determined war on the rats in the neighborhood inaugurated.

There is good reason to believe that the present cholera "epidemic" will be confined to the one case in which it originated. The wife of the single victim, the stereotyped named Kanehau, is now entirely recovered. She probably did not have the disease, or if she did it was a very mild case. She did have a glorious jag, however, on almost a quart of Hennessy brandy which was provided for her husband when he was taken ill and of which he used but a small part. This may have had something to do with her recovery, in case she really was infected.

It had been expected to discharge the persons held in quarantine at the Kalahehi quarantine camp today, but one of them, a Spanish woman was ill this morning and it has been decided to await developments in her case, some of her symptoms being somewhat like cholera, including a subnormal temperature. If nothing further develops in the case within two or three days more the inmates will be allowed to return to their homes.

The woman now sick lived in the same building in which did the victim, her rooms being but a few rods away.

The tenements on River street in which the contagion developed are now considered perfectly safe, having been most thoroughly fumigated, cleaned and disinfected. They are in charge of only one or two guards at present, kept there to guard the property until the owners, so summarily removed and placed in quarantine, may be allowed to return and take possession.

Much credit is undoubtedly due the

SAILORS STOLEN?

EFFORT TO SETTLE A MIX-UP
OVER FIVE MEN WANTED BY
TWO VESSELS.

A Norwegian sailor-contraband, quarantine, the temptation of higher wages the Sailor's Union, the Norwegian Consul, a waterfront detective and Uncle Sam are the main considerations in a waterfront mix-up which is in process of being straightened out.

Five sailors carry this week left the Norwegian bark Concordia and booked passage on the S. S. Kinan for Kahului to ship aboard the American ship Jabez Howes which is badly in need of men. Sailors Union Agent Laddy observed the move. The sailors were not union men. In any event it was brought to the attention of the authorities, the Federal Health officials, that sailors were going to Kahului to ship on the Howes without first going into quarantine.

The five ex-Concordian sailors were taken from the Kinan and sent into quarantine on the island. Tuesday afternoon Detective Reeves went to quarantine island and arrested the Norwegians as deserters from the Concordia.

In the meanwhile there are three other sailors, who have nothing to do with the Concordia, who are in quarantine qualifying for the Jabez Howes, one of whom is Mitchell who was paid off from the British S. S. Highland Monarch, by process of law, because he could not stand the smell of opium smoking on the part of the Chinese firemen.

The alleged deserters from the Concordia spent Christmas in jail. Two of these are said to be signed on the Concordia's articles, while three are said to have a private agreement with the captain, presumably according to Norwegian law. Attorney A. V. Gear represents these latter three. They want about \$40 each, due them, and the captain does not seem inclined to pay them in full or at all if they leave here, nor does he appear anxious to retain their services. The Norwegian Consul is called in for an opinion and, incidentally or otherwise, the Federal court figures in the matter. Another point enters, as to the manner in which the sailors left the Concordia. In the meanwhile the Jabez Howes at Kahului is whistling for a crew.

RECEPTION TO THE GOVERNOR

MERCHANTS' ASSOCIATION PLANS TO HONOR FREAR ON HIS RETURN.

A movement is on foot among the merchants in town to give a reception in honor of Governor Frear when he returns from Washington.

President Smith of the Merchants' Association stated to a representative of the Star this afternoon, that the Merchants' Association would join heartily in any such movement. "Governor Frear has done a good deal for Hawaii since he has been away, and it would be very fitting, if such a thing can be arranged. Personally I will do all I can to make the reception a success."

Fine Job Printing, Star Office.

Health Department for the promptness with which the outbreak was handled, and for the inspectors who worked unceasingly and with the utmost vigor in preventing the likelihood of the disease spreading, by means of disinfection and cleaning.

The spirit of the people also is much to be commended. There has been scarcely a complaint at the rigorous measures of precaution regarding food products which have been thought necessary, and an earnest effort and desire to co-operate with the Health officials in the work of cleaning up has been shown.

There has been some grumbling because the bathing has been prohibited at Waikiki, owing to the possibility of the diseases being spread by water from the infected harbor, or through some stream which might have become contaminated. Some of the Waikiki hotel proprietors called at the Health offices this morning to protest, but as yet the prescription against bathing or fishing this side of Diamond Head has not been lifted.

Fine Job Printing, Star Office.

PROBABLY KILLED BY THE FAILURES

(Associated Press Cable to The Star.)

PITTSBURG, December 26.—Leopold Vilsack, a millionaire banker and brewer, dropped dead this morning.

SAN FRANCISCO HAS A CONFLAGRATION

SAN FRANCISCO, December 26.—A fire among wholesale houses at First and Mission streets, caused losses amounting to \$200,000.

BURGLARS' TOOLS USED IN FRESNO

FRESNO, December 26.—Burglars drilled through the vault of the Gottchalks dry goods house here and secured \$5,000 and valuables. They made their escape undetected.

SULTAN AZIZ IS WINNING.

MOROCCO CITY, December 26.—The Sultan Abdel Aziz has won two victories over his rival.

ROOSEVELT LEAVES WASHINGTON.

WASHINGTON D. C., December 26.—President Roosevelt has gone to Pine Knot.

The E. M. Phelps Is In Distress

The American ship Erskine M. Phelps, en route to Kahului from Seattle in ballast, to load sugar, under charter by the Sugar Factors for Delaware Breakwater, which sailed from Seattle on December 17, on December 24, put into San Francisco in a leaking condition. Advice to this effect were today received by the Marine Exchange and Castle & Cooke. She was seven days out of Seattle when she put into San Francisco. Her delay at the latter port will probably mean a thorough examination for the leak and repairs which may occupy anywhere from a few days to a few weeks.

COMPLAINT OF THE JAPANESE

THE ADMINISTRATION SAID TO BE ORDERING AN INVESTIGATION OF LOCAL MATTERS.

The Washington Star of December 11 says:

It is probable that the administration will order an investigation of the reports of alleged discrimination against Japanese physicians in Hawaii, and an alleged miscarriage of justice in a case involving a Japanese. It has been represented that Dr. Pinkham, president of the Board of Health of

Hawaii, was unfair in his treatment of certain Japanese physicians who had charge of several dangerous cases of plague near Honolulu. Complaint is made that the health officer requires Japanese physicians to pass an examination in the English language before being licensed.

Through the intervention of Gov. Frear matters were satisfactorily adjusted, but not until considerable feeling for and against the Japanese consul general at Honolulu and the Japanese residents generally had been engendered.

(Continued on Page 8.)

Jas. A. Banister Co's

SHOES For Men

Just received—ten new styles of these notable shoes. The name "Banister" is synonymous with "the very best" in footwear.

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